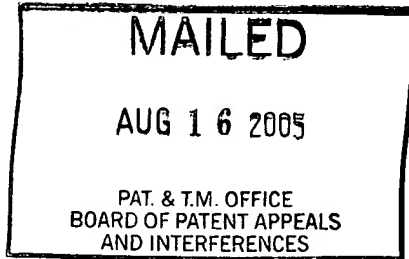




# UNITED STATES PATENT AND TRADEMARK OFFICE

DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BOARD OF PATENT APPEALS AND INTERFERENCES  
BOX INTERFERENCE, WASHINGTON, D.C. 20231

Filed by: Sally C. Medley  
Telephone: (571) 272-9797  
Facsimile: (571) 273-0042



Applicants: Tsuda et al.  
Application No.: 09/406,684  
Filed: 09/27/99  
For: Method of making LCD with  
asperities in insulation layer under  
reflective electrode

The above-identified application or patent has been forwarded to the Board of Patent Appeals and Interferences because it is adjudged to interfere with another application or patent. An interference has been declared. The interference is designated as No. 105,357.

Notice is hereby given the parties of the requirement of the law for filing in the Patent and Trademark Office a copy of any agreement "in connection with or in contemplation of the termination of the interference." 35 U.S.C. § 135(c).

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Sally C. Medley  
Administrative Patent Judge

## INTERFERENCE DIGEST

Interference No. 105,357

Paper No.

Name: Kazuhiko Tsuda et al.

Serial No.: 09/406,684

Patent No.

Title: Method of making LCD with asperities in insulation layer under reflective electrode

Filed: 09/27/99

Interference with Noritake et al.

## DECISION ON MOTIONS

Administrative Patent Judge, \_\_\_\_\_ Dated, \_\_\_\_\_

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## FINAL DECISION

Board of Patent Appeals and Interferences, \_\_\_\_\_ Dated, \_\_\_\_\_

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Court, \_\_\_\_\_ Dated, \_\_\_\_\_

## REMARKS

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This should be placed in each application or patent involved in interference in addition to the interference letters.

Mail Stop Interference  
P.O. Box 1450  
Alexandria Va 22313-1450  
Tel: 571-272-9797  
Fax: 571-273-0042

Paper 1  
Filed  
16 August 2005

UNITED STATES PATENT AND TRADEMARK OFFICE

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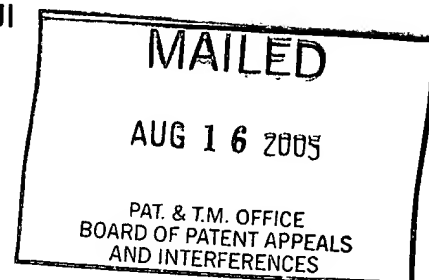
BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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KAZUTO NORITAKE and TOSHIFUMI YAMAJI  
Junior Party,  
(Patent 6,410,358),

v.

KAZUHIKO TSUDA, KAZUHIRO ISHIZUKA  
and HIROYUKI OHGAMI  
Senior Party,  
(Application 09/406,684).



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Patent Interference No. 105,357  
(Technology Center 2800)

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**DECLARATION - Bd.R. 203(d)**

Before Sally C. Medley, Administrative Patent Judge.<sup>1</sup>

**Part A. Declaration of interference**

An interference is declared (35 U.S.C. § 135(a)) between the above-identified parties. Details of the application(s), patent (if any), reissue application (if any),

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<sup>1</sup>As part of Board efforts under the Government Paperwork Elimination Act, signatures on papers originating from the Board are being phased out in favor of a completely electronic record. Consequently, in this case papers originating at the Board will not have signatures. The signature requirements for the parties have not changed. See, e.g., 37 C.F.R. § 10.18.

count(s) and claims designated as corresponding or as not corresponding to the count(s) appear in Parts E and F of this DECLARATION.

**Part B. Judge managing the interference**

Administrative Patent Judge Sally C. Medley has been designated to manage the interference. 37 CFR § 41.104(a) [Bd. R. 104(a)].

**Part C. Standing order**

A Trial Section STANDING ORDER [SO] accompanies this DECLARATION. The STANDING ORDER applies to this interference.

The Board is conducting a DVD pilot project. A copy of the procedure is attached to this order.

**Part D. Initial conference call**

A telephone conference call to discuss the interference is set for **1:30 p.m. on 6 October 2005** (the Board will initiate the call).

No later than **two business days** prior to the conference call, each party shall file and serve by facsimile (SO ¶ 4.5) a list of the motions (Bd. R. 120; Bd. R. 204; 7SO ¶ 26) the party intends to file.

A sample schedule for taking action during the motion phase appears as Form 2 in the STANDING ORDER<sup>2</sup>. Counsel are encouraged to discuss the schedule prior to the conference call and to agree on dates for taking action. A typical motion period lasts approximately eight (8) months. Counsel should be prepared to justify any request for a shorter or longer period.

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<sup>2</sup> Default times for time periods 1-10 are attached.

The Board is conducting an electronic filing pilot project. A copy of the procedure is attached to this order. Counsel should be prepared to discuss participation in the pilot project.

**Part E. Identification and order of the parties**

Junior Party

Named inventors: KAZUTO NORITAKE, Gifu-Shi, Japan  
TOSHIFUMI YAMAJI, Haguri-Gun, Japan

Patent: 6,410,358, granted 25 June 2002, based on  
application 09/615,608, filed 14 July 2000

Title: Manufacturing method for reflection type liquid crystal  
display

Assignee: Sanyo Electric Co., LTD.

Accorded Benefit: none

Senior Party

Named Inventor: KAZUHIKO TSUDA, Nara, Japan  
KAZUHIRO ISHIZUKA, Nara, Japan  
HIROYUKI OHGAMI, Nara, Japan

Application: 09/406,684, filed 27 September 1999

Title: Method of making LCD with asperities in insulation  
layer under reflective electrode

Assignee: Sharp Kabushiki Kaisha

Accorded Benefit: Japan 10-273244, filed 28 September 1998,  
Japan 10-273245, filed 28 September 1998,  
Japan 11-169338, filed 16 June 1999,  
Japan 11-169339, filed 16 June 1999

Attorneys: See last page

Address: See last page

The senior party is assigned exhibit numbers 1001-1999. The junior party is assigned exhibit numbers 2001-2999. Bd. R. 154©)(1). The senior party is responsible for initiating settlement discussions. SO ¶ 18.

**Part F. Count and claims of the parties**

Count 1

Claim 19 or 22 or 26 or 27 or 28 or 39 or 50 or 99 or 101 or 103 or 105 or 106 or 108 or  
114 or 116 or 118 of Tsuda (09/406,684)

or

Claim 1 or 3 or 5 of Noritake (6,410,358)

The claims of the parties are:

Noritake: 1-9

Tsuda: 8-14, 17, 19 and 22-122

The claims of the parties which correspond to Count 1 are:

Noritake: 1-9

Tsuda: 8, 19, 22-33, 35, 36, 38-44, 46, 47, 49-58, 63, 64, 72-74, 79, 80, 88, 89, 93, 94, 99, 101, 103, 105-108, 110, 111, 113-122

The claims of the parties which do not correspond to Count 1 are:

Noritake: none

Tsuda: 9-14, 17, 34, 37, 45, 48, 59-62, 65-71, 75-78, 81-87, 90-92, 95-98, 100, 102, 104, 109, 112

**Part G. Heading to be used on papers**

The heading in SO Form 1 must be used on all papers filed in this interference.  
See SO ¶ 7.2.1. The administrative patent judge and parties must be indicated as follows:

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES  
(Administrative Patent Judge Sally C. Medley)

---

KAZUTO **NORITAKE** and TOSHIFUMI YAMAJI  
Junior Party,  
(Patent 6,410,358),

v.

KAZUHIKO **TSUDA**, KAZUHIRO ISHIZUKA  
and HIROYUKI OHGAMI  
Senior Party,  
(Application 09/406,684).

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Patent Interference No. 105,357

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**Part H. Order form for requesting file copies**

When requesting copies of files, use of SO Form 4 will greatly expedite processing of the request. Please attach a copy of Part E of this DECLARATION with a hand-drawn circle around the patents and applications for which a copy of a file wrapper is requested.

## **Part I. Required paragraph for affidavits and declarations**

The Board has recently experienced a rash of cases in which a witness has belatedly advanced reasons why he or she would be unable to appear for cross examination at a reasonable time and place in the United States. Consequently, the Board is requiring the following paragraph to be included on the signature page of all affidavits (including declarations) filed in this case to prevent surprise and hardship to the party relying on the testimony of the witness:

In signing this affidavit/declaration, I recognize that the affidavit/declaration will be filed as evidence in a contested case before the Board of Patent Appeals and Interferences of the United States Patent and Trademark Office. I also recognize that I may be subject to cross examination in the case and that cross examination will take place within the United States. If cross examination is required of me, I will appear for cross examination within the United States during the time allotted for cross examination.

Enc:

Copy of STANDING ORDER  
Copy U.S. Patent 6,410,358  
Copy of claims of 09/406,684  
Copy of default times for time periods 1-10  
Copy of e-filing pilot project order  
Copy of DVD pilot project order

Revised January 2005



cc (via overnight delivery):

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